

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
E/S Concord Road, 75 ft. N of	* ZONING COMMISSIONER
c/l of Salem Court	
7025 Concord Road	* OF BALTIMORE COUNTY
3rd Election District	
2nd Councilmanic District	* Case No. 95-191-A
Benjamin S. Joffe, et ux	
Petitioners	*
* * * * *	* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Benjamin S. Joffe and Mollie R. Joffe, his wife, for that property known as 7025 Concord Road in the Colonial Village subdivision of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 20 ft. in lieu of the required 30 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

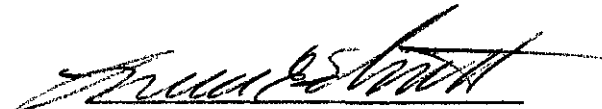
12/23/98
 H. G. G.

MICROFILMED

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of December, 1994 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 20 ft. in lieu of the required 30 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

12/23/94
Jm. Ward

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 22, 1994

Mr. and Mrs. Benjamin S. Joffe
7025 Concord Road
Pikesville, Maryland 21208

RE: Petition for Administrative Variance
Case No. 95-191-A
Property: 7025 Concord Road

Dear Mr. and Mrs. Joffe:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

95-191-A

to the Zoning Commissioner of Baltimore County

for the property located at 7025 CONCORD Rd.

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1: BCZR, TO PERMIT

A REAR YARD SETBACK OF 20' IN LIEU OF THE REQUIRED 30'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

BENJAMIN S. JOFFE

(Type or Print Name)

Mollie R. Joffe Benjamin Joffe

Signature

MOLLIE R. JOFFE

(Type or Print Name)

Mollie R. Joffe

Signature

7025 CONCORD Rd. (410)

Address

Phone No.

PIKESVILLE, MD. 21208

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: gum

DATE: 12-23-94

ESTIMATED POSTING DATE: 12-4-94

Printed with Soybean Ink
on Recycled Paper

ITEM #: 188

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

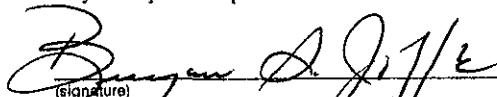
That the Affiant(s) does/do presently reside at 7025 CONCORD RD.
address
BALTIMORE, MD. 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)


MY FORMER CONTRACTOR, JOB MASTERS, HAS FILED FOR BANKRUPTCY. PERMIT #B195456 WHICH WAS OBTAINED BY JOB MASTERS INDICATED THAT CONSTRUCTION OF A 20'x20' ADDITION. THE DIMENSIONS OF THE EXISTING CONSTRUCTION WHICH JOB MASTERS BUILT IS 20'x38' WHICH NOW HAS A SETBACK OF 20' FROM THE REAR OF THE NEW ADDITION. THIS ERROR WAS DISCOVERED BY MY NEW CONTRACTOR O.T.C. AFTER THE ROUGH IN OF ELECTRIC + PLUMBING, WHICH WAS BROUGHT TO THEIR ATT. BY BUILDING INSPECTOR AL HILL.

* SEE ATTACHED STATEMENT FOR EXPLANATION OF DISCREPANCY. *

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


(signature)
BENJAMIN S. JOFFE
(type or print name)




(signature)
MOLLIE R. JOFFE
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18 day of November, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

BENJAMIN (BEN) JOFFE AND MOLLIE R. JOFFE

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/18/94
date


NOTARY PUBLIC

My Commission Expires: 7/1/95

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EXPLANATION FOR DISCREPANCY

PREPARED BY

O.T.C.

DATE

11/23/94

188

TO WHOM IT MAY CONCERN:

JOBMASTERS CONTRACTING, INC., UNDER THE LEADERSHIP OF SALESMAN PETE PLUNTI, ON SANCTIONED BY THE MHIC, AGREED TO A CONTRACT TO BUILD AN ADDITION 20' X 38' TO THE ABOVE BUILDING.

WHEN THE OWNER, WHO DEPENDED ON MR PLUNTI FOR HIS BUILDING KNOWLEDGE AND EXPERIENCE, QUESTIONED MR PLUNTI ABOUT THE LEGALITY OF THE 38' LENGTH, HE (MR PLUNTI) SAID THAT IT WAS OKAY ACCORDING TO CODE AND HE PROCEEDED TO REMEASURE THE SET BACK TO REAFFIRM HIS OPINION.

WHEN THE INSPECTOR SHOWED ME THE PERMIT CERTIFICATE, IT READ 20' X 20' IN CONTRADICTION TO THE ORIGINAL DRAWING. THIS COULD ONLY HAVE BEEN DONE BY MR. PLUNTI WHO WAS CHARGED IN THE CONTRACT WITH OBTAINING THE PERMIT.

SINCE THE DISCREPANCY HAS BEEN BROUGHT TO OUR ATTENTION, THE FOUNDATION HAD BEEN ALREADY COMPLETED, FRAMING HAS ALREADY BEEN 90% + COMPLETE AT THAT DISTANCE, 38'

MR. PLUNTI WAS IN CHARGE OF THE FOUNDATION LAYING THE DECK AND BEGINNING THE FRAMING - AT 38' ROUGH-IN FOR ELECTRIC HAS BEEN COMPLETE AND ROUGH-IN FOR PLUMBING HAS BEEN STARTED.

MICROFILMED

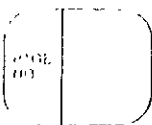
EXPLANATION FOR DISCREPANCY

ANY CHANGE WOULD PRESENT FINANCIAL
AND PHYSICAL HARDSHIP FOR THE OWNERS,
WHILE THERE IS NO HARM TO THE NEIGHBORS
AND THERE HAVE BEEN NO COMPLAINTS UP TO
THIS POINT. THERE HAS ONLY BEEN SYMPATHY
FOR OWNERS AT THE BEHAVIOR OF JOBMASTERS

A COMPLAINT AGAINST JOBMASTERS (#138-95)
HAS BEEN FILED W/ MHIC. A COPY OF THE
ORIGINAL CONTRACT HAS BEEN FILED W/ MHIC.

Benjamin S. Joffe
BENJAMIN S. JOFFE

188



ZONING DESCRIPTION

PREPARED BY	OTC
DATE	11/23/94

7025 CONCORD RD. RUNNING APPROX. NORTH
TO SOUTH HOUSE FACING WEST. HOUSE ON
EAST SIDE OF ROAD. HOUSE SITUATED 60'
FROM CENTER OF CONCORD RD. HOUSE SITUATED
50' FROM CURB. NEAREST INTERSECTION RD
WOULD BE PLYMOUTH RD. RUNNING N/NE +
S/SW AND COLONIAL RD. RUNNING S/E + N/W
APPROX 1/5 MI N/E OF 7025 CONCORD RD.
HOUSE SITS ON LOT # 183 IN COLONIAL
VILLAGE, KNOWN AS 7025 CONCORD RD.
HOUSE IS LOCATED 3RD CONGRESSIONAL DISTRICT
+ 2ND COUNCILMANIC DISTRICT.
LOT CONTAINS 6,000 SQ. FT., LOT SIZE IS
50' X 120'. LOT IS RECORD IN DEED LIBER 1,
FOLIO 66.

188

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-191-A

District 3rd Date of Posting 12/2/84

Posted for: Vorhies

Petitioner: Benjamin & Mollie Loffe

Location of property: 7025 Concord Rd, F/S

Location of Signs: Facing roadway on property being zoned

Remarks: No Pole Used

Posted by M. Healy Date of return: 12/2/84
Signature

Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

#188

receipt

95-191-A

Account: R-001-6150

Number

500

Date

11-23-94

Admin VAR (010)

50.00

POSTING (080)

35.00

85.00

MICROFILMED

03A03H0298MICHR

\$85.00

BA C003+03PM11-23-94

Please Make Checks Payable To: Baltimore County

Cashier Validation



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 188

Petitioner: BENJAMIN JOFFE

Location: 7025 CONCORD RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BEN JOFFE

ADDRESS: 7025 CONCORD RD.

PIKESVILLE, MD. 21208

PHONE NUMBER: (410) 486-2784

AJ:ggs

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(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 21, 1994

Mr. Benjamin S. Joffee
7025 Concord Road
Pikesville, Maryland 21208

RE: Item No: 188
Case No.: 95-191A
Petitioner: Benjamin S. Joffee

Dear Mr. Joffee:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on November 23, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED





**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-30-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: ~~188~~ (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 30, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 178, 179, 180, 181, 182, 183, 185, 187, 188 and 189

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Barry L. Kern

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/05/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 5, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 136, 187 AND 188.

RECEIVED
DEC 7 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 2, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Benjamin and Mollie Joffe
7025 Concord Road
Pikesville MD 21208

Re: CASE NUMBER: 95-191-A (Item 188)
7025 Concord Road
E/S Concord Road, 75' N of c/l Salem Court
3rd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 4, 1994. The closing date (December 19, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

RECEIVED
DEC 15 1994
BALTIMORE COUNTY



11/21/94

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

We, the immediate neighbors of 7025 Concord Rd
in Colonial Village, have no objections to the
addition at 7025 Concord Rd:

7023 Concord Rd - *Nancy Hart*

7021 Concord Rd *Nancy Shushy*
Dr. Mashe Dor Shushy

7027 Concord Rd

PRESIDENT
NEIGHBORHOOD COMM.

7029 Concord Rd.

L. Konatos
d q Konatos

7027 Concord Rd

George Zuehlke
Linda Zuehlke

188

14 COPIES

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 7025 CONCORD RD, BACTI CO., 21208 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: COLONIAL VILLAGE

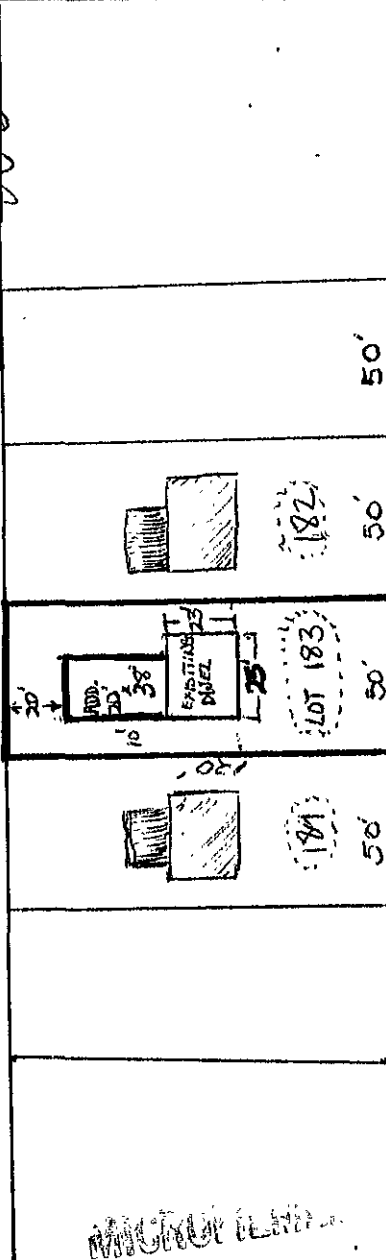
plat book# , folio# , lot# 183, section#

OWNER: BENJAMIN S. SOFFE

95-191-A

SCHOOL YARD

Ref: 11/20/1



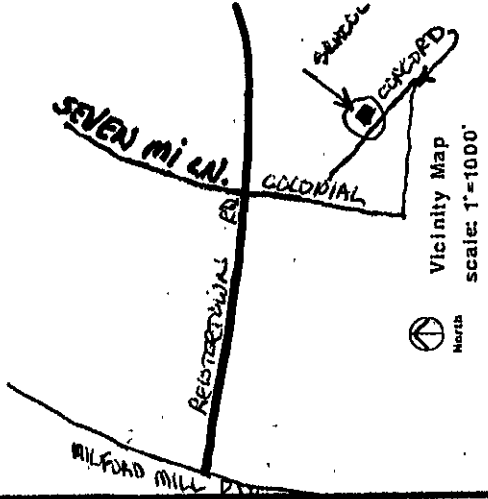
CONCORD RD



North
date: 11/22/94
prepared by: Q.T.C.

SALEM CT.

Scale of Drawing: 1" = 60.0'



LOCATION INFORMATION

Election District: 3

Councilmanic District: 2

1"-200' scale map#: N.W.6-E

Zoning: DR 5.5

Lot size: 6000 acreage square feet

public ☐ private ☐

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: ☒ ☐

Zoning Office USE ONLY!

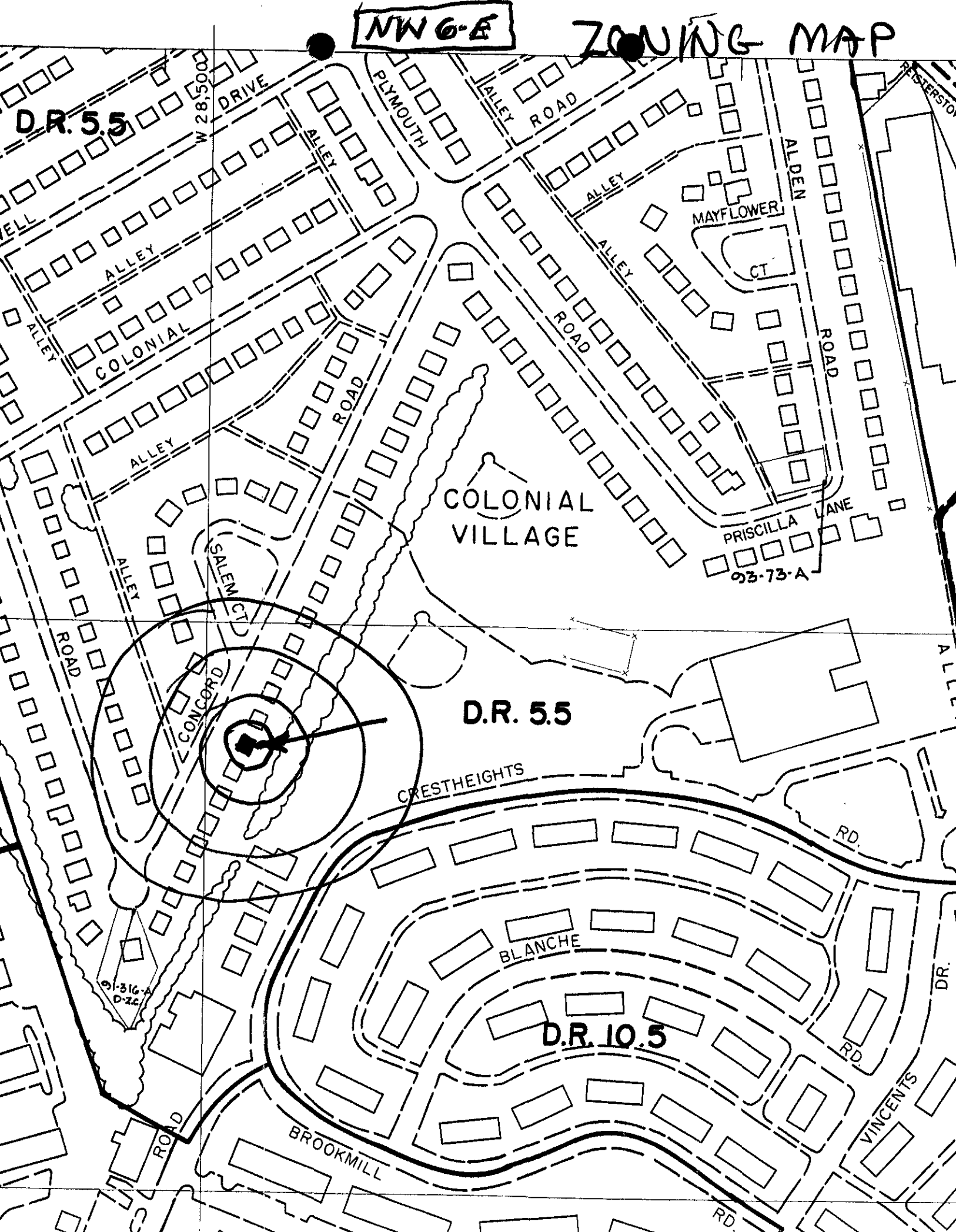
reviewed by: ITEM #: CASE#:

QCM 188

NW 6-E

ZONING MAP

D.R. 5.5



COLONIAL
VILLAGE

D.R. 5.5

CRESTHEIGHTS

D.R. 10.5

BLANCHE

BROOKMILL

VINCENTS

MAYFLOWER
CT

PRISCILLA
LANE

93-73-A

SALEM
CT

CONCORD

93-316-A
D-22

D.R. 5.5

W 28,500
DRIVE

PLYMOUTH
ROAD

ALLEY
ROAD

ALDEN
ROAD

ROAD

LANE

RD.

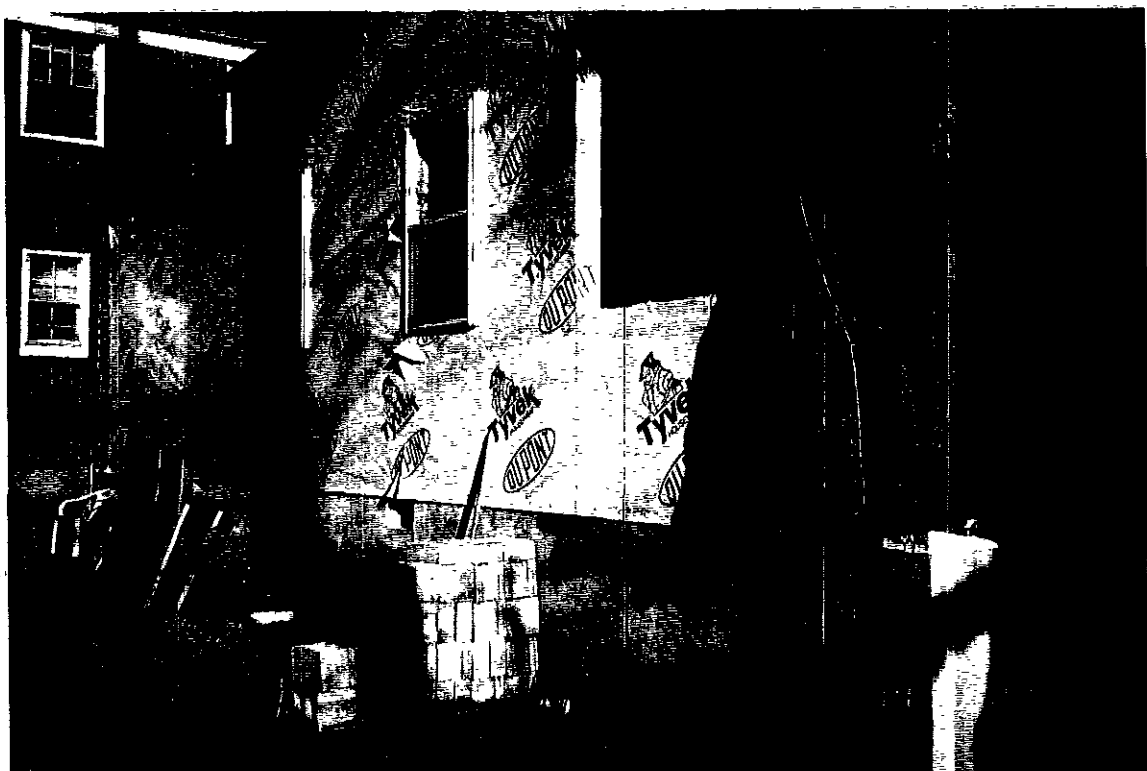
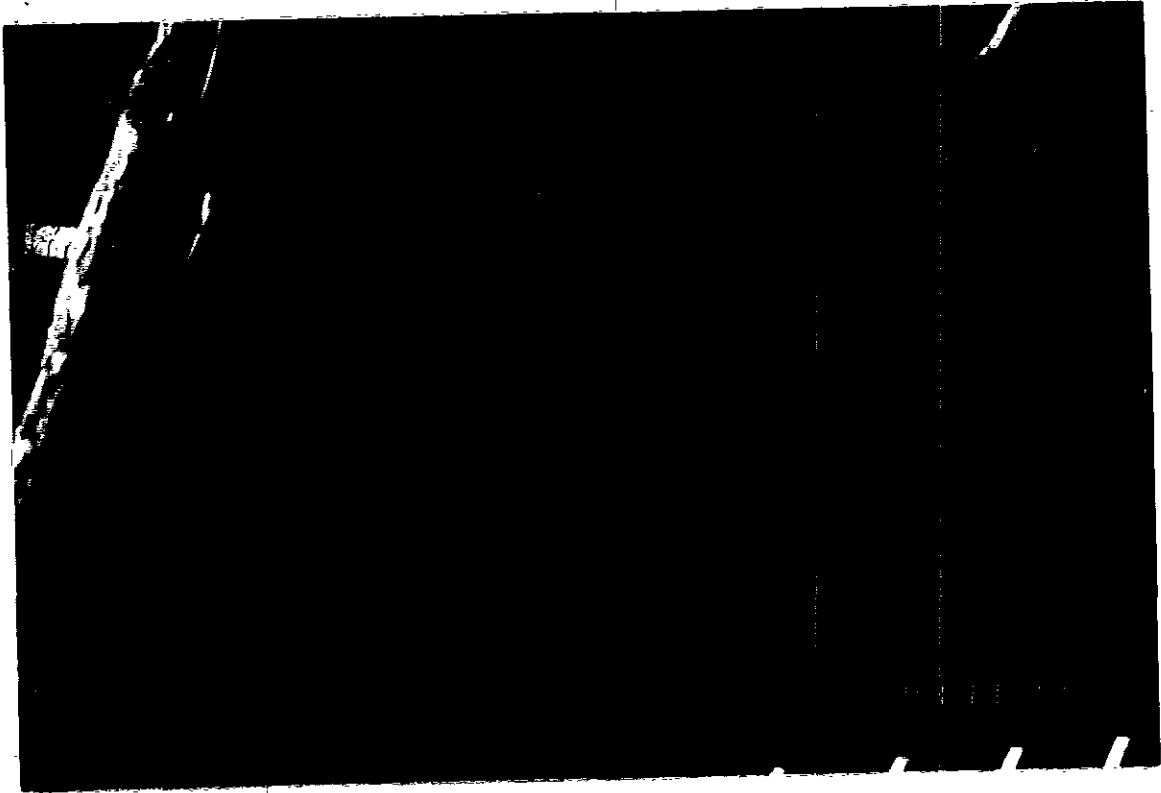
RD.

RD.

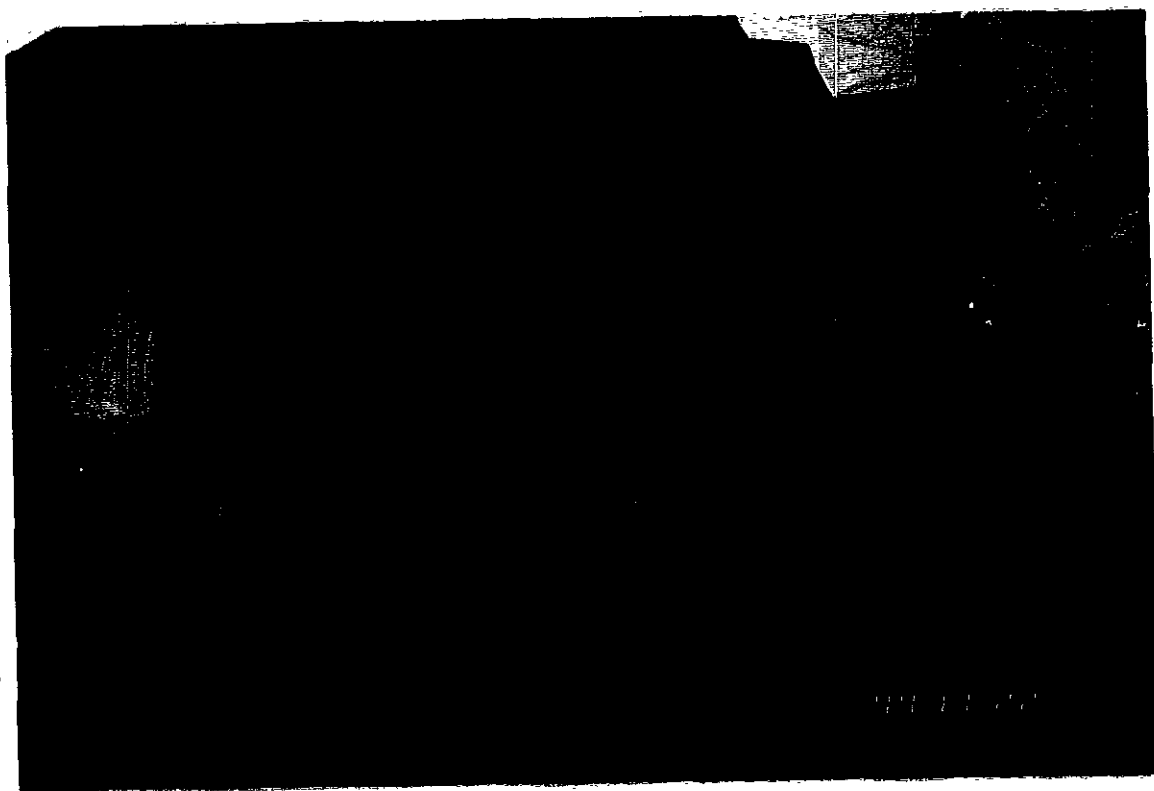
DR.

ALLEY

REGISTER

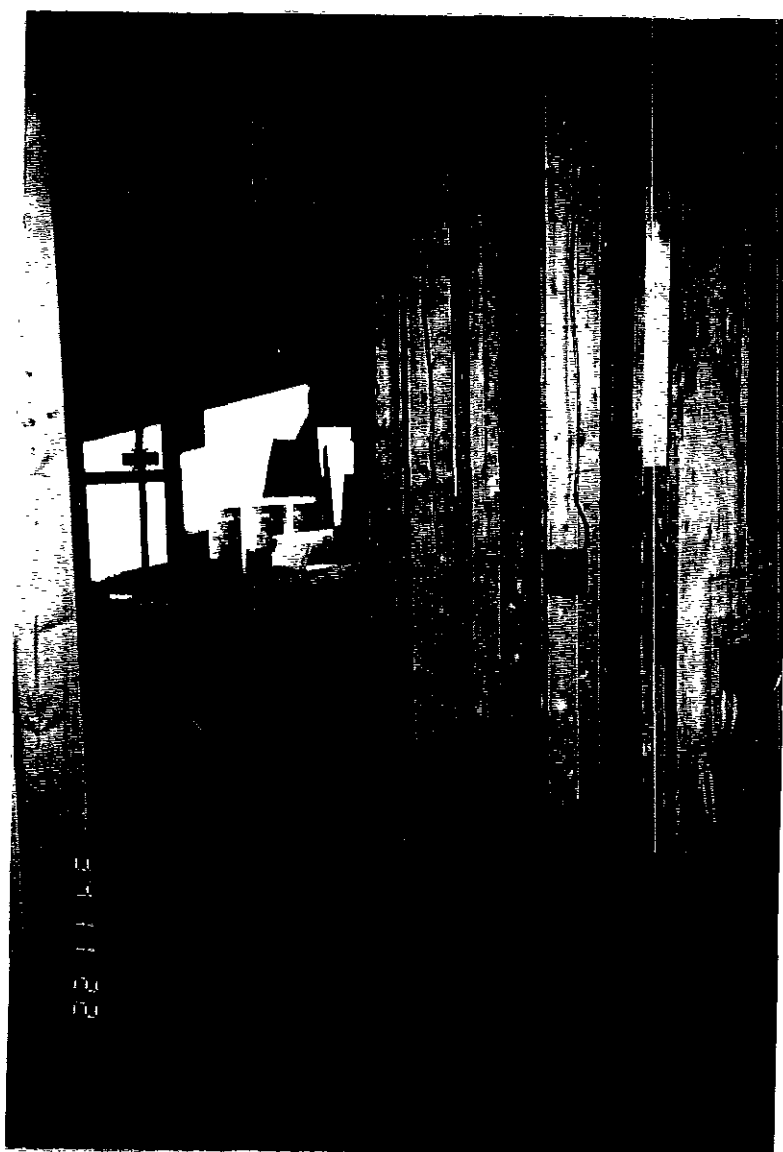
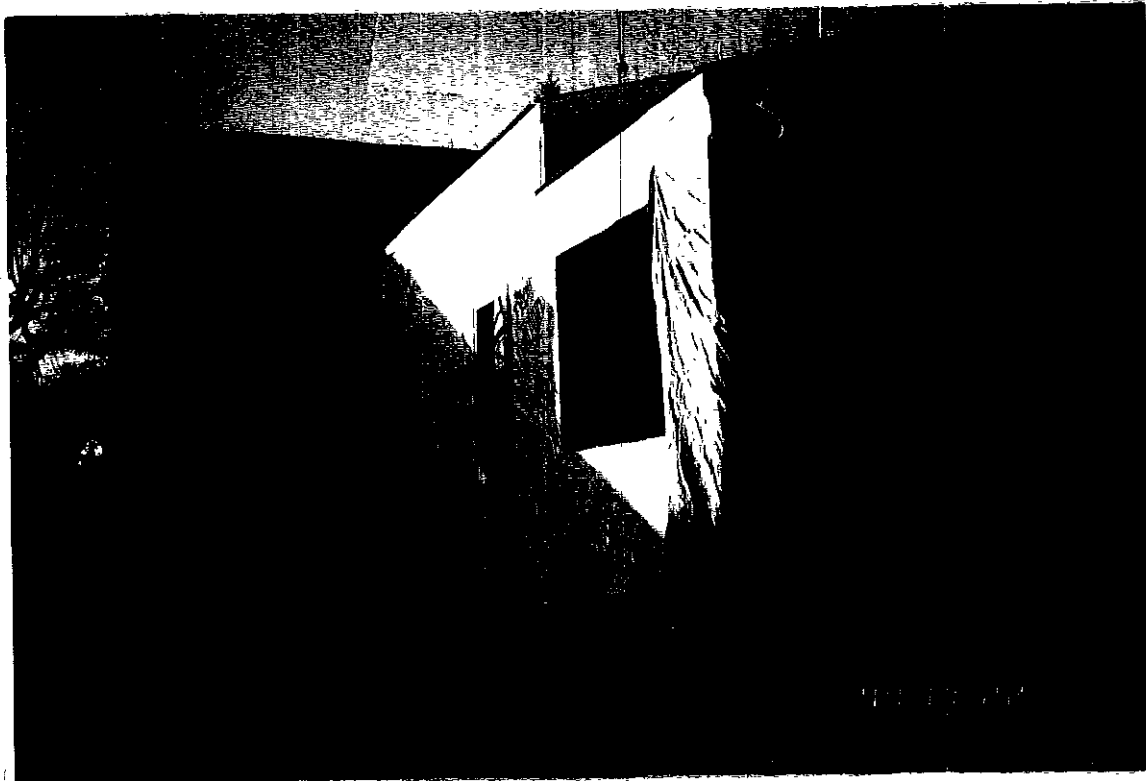


MICROFILMED





95-191-A



WALL (SOUTH SIDE)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 12/15/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: see below

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

Agenda -
Mtg. of 11/28/94
Items # 178, 179, 180, 183, 184, 185

Mtg. of 12/5/94
Items 188 and 189

Mtg. of 12/12/94
Items 191, 192, 194, 195, 198

LS:sp

LETTY2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 12, 1994
Zoning Administration and Development Management

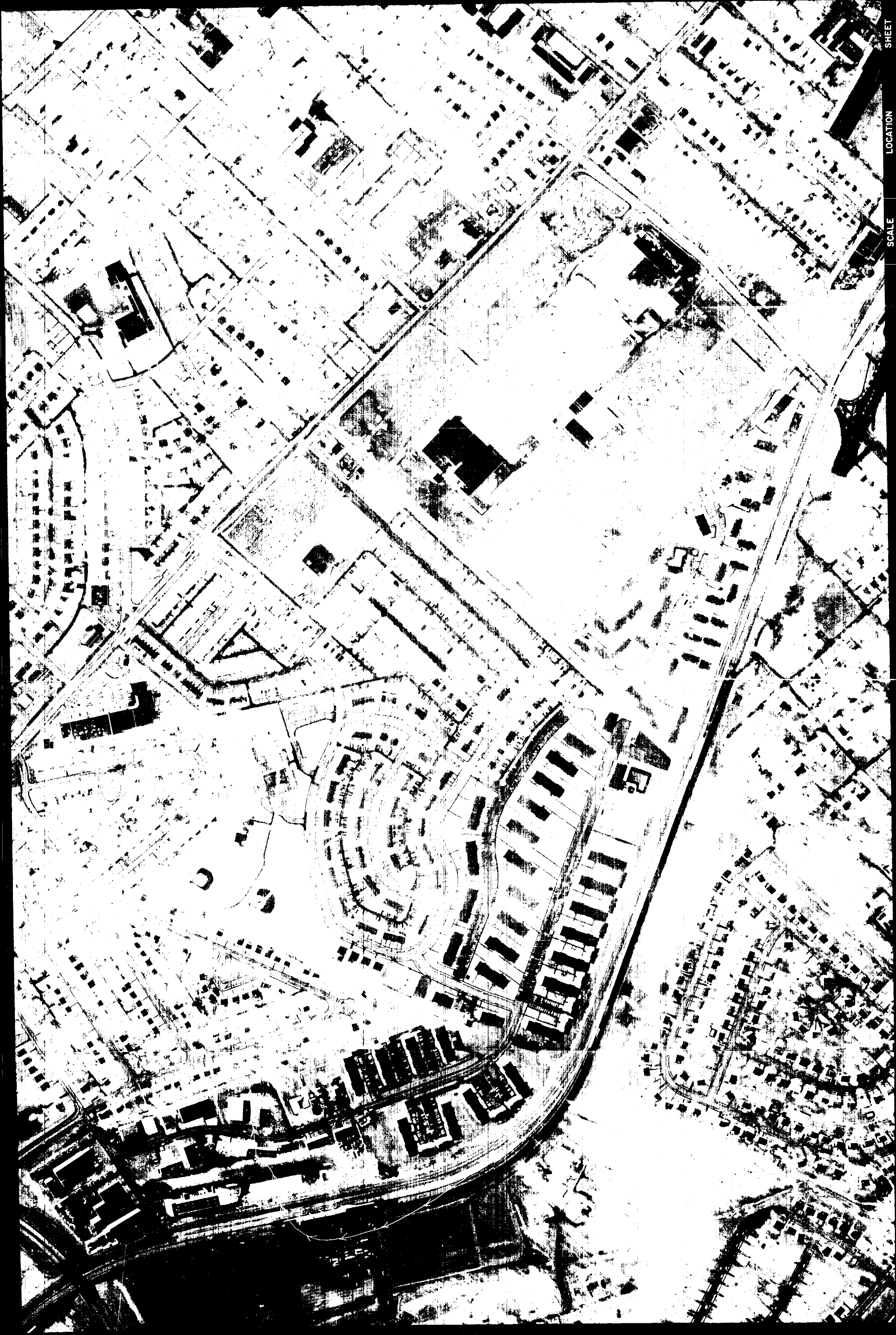
FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for December 12, 1994
Items 187, 188, and 189

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED



95-191-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

188

LOCATION		SHEET
SUBBROOK PARK		N.W. 6-E
DATE OF PHOTOGRAPHY		JANUARY 1986
SCALE		1" = 200' ±